



IFW  
PATENT  
81716.0111

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MIYAO, et al.

Serial No: 10/691,451

Filed: October 20, 2003

For: Fuel Cell Casing, Fuel Cell and  
Electronic Apparatus

Art Unit: 1745

Examiner: Not Assigned

**TRANSMITTAL OF INFORMATION  
DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sirs:

I hereby certify that this correspondence  
is being deposited with the United States  
Postal Service with sufficient postage as  
first class mail in an envelope addressed  
to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450, on

April 18, 2005

Date of Deposit

Shindale Ferguson

Name

April 18, 2005

Signature

Date

1. ☒ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).
2. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(b), but *before* the mailing date of a final action under §1.113, or a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, whichever occurs first. A statement specified in §1.97(e) or a fee set forth in §1.17(p) is included. 37 C.F.R. §1.97(c).

**§1.97(e) STATEMENT**

I, the person signing below, state:

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in

§1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

**OR FEE**

☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00). [OR:] Please charge the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c) (\$180.00) to Deposit Account No. 50-1314. A copy of this petition is enclosed.

3. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(c), but before, or simultaneously with the payment of the issue fee. A statement specified in §1.97(e) and a fee set forth in §1.17(p) are included. 37 C.F.R. §1.97(d).

**§1.97(e) STATEMENT**

I, the person signing below, state:

☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

**OR**

☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

**AND FEE**

☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(d). (\$180.00).

4. ☒ If it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 50-1314. **A copy of this petition is enclosed.**
5. ☒ A list of 8 reference(s) is in the enclosed Form PTO-1449.

NON-ENGLISH LANGUAGE REFERENCES

- ☒ Enclosed is a Japanese language office action for a counterpart application.
- ☐ The specification incorporates comments on the relevancy of Non-English language references.
- ☐ Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

Respectfully submitted,  
HOGAN & HARTSON L.L.P.

Date: April 18, 2005

Biltmore Tower  
500 South Grand Avenue, Suite 1900  
Los Angeles, CA 90071  
Telephone: (213) 337-6700  
Facsimile: (213) 337-6701

By: 

Lawrence J. McClure  
Registration No. 44,228  
Attorney for Applicant(s)

FORM PTO-1449

Docket Number (Optional)  
81716.0111Application Number  
10/691,451

**INFORMATION DISCLOSURE CITATION  
ON AN APPLICATION**

Applicant

MIYAO, et al.

Filing Date  
November 25, 2003Group Art Unit  
1745**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	2003/0180594 (counterpart Japanese Patent App. No. 2003-282131)	09/25/03	CHOI, et al.			
	2003/0012999 (counterpart Japanese Patent App. No. 2003-86207)	01/16/03	YOSHIOKA, et al.			

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
	10-106604	04/24/98	JAPAN			Abstract & Partial Translation	
	02/41433	05/23/02	WO			X	
	03-071561	03/27/91	JAPAN			Abstract & Partial Translation	
	05-074470	03/26/93	JAPAN			Abstract & Partial Translation	
	2003-282131 (counterpart U.S. Publication No. 2003/0180594)	10/03/03	JAPAN			Abstract & Partial Translation	
	2003-86207 (counterpart U.S. Publication No. 2003/0012999)	03/20/03	JAPAN			Abstract & Partial Translation	

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**


EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.